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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725-LBR

**Notice to James E. McKnight of
Motion For Summary Judgment
Regarding Claim No(s). 10725-00723-
1, as amended by 10725-00723-2,
10725-00751, 10725-01683-1, as
amended by 10725-01683-2, as
amended by 10725-01683-3, and
10725-01684**

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

NOTICE IS HEREBY GIVEN to James E. McKnight that on July 30, 2007, the
USACM Liquidating Trust ("USACM") filed a Motion for Summary Judgment related to
Claim No(s). 10725-00723-1, as amended by 10725-00723-2, 10725-00751, 10725-01683-
1, as amended by 10725-01683-2, as amended by 10725-01683-3, and 10725-01684 (the

1 “Motion”). Along with this notice, USACM is serving James E. McKnight with a copy of
2 the Motion.

3 James E. McKnight asserted secured claim(s) against USA Commercial Mortgage
4 Company. The Motion disputes your assertion of secured claim status and asks the Court
5 to reclassify your claim(s) as a general unsecured claim(s). This is not an objection to your
6 claim as a direct lender or to the security interest you as a direct lender may have in your
7 borrowers’ property as collateral. Rather, the Motion argues that your claim(s) are not
8 secured by property of the bankruptcy estate.

9 **NOTICE IS FURTHER GIVEN** that any opposition to the Objection/Motion
10 must be filed pursuant to Local Rule 9014(d)(1). **PLEASE DO NOT CONTACT THE**
11 **CLERK OF THE COURT OF THE BANKRUPTCY COURT TO DISCUSS THE**
12 **MERITS OF YOUR CLAIM.** If you do not want the Court to grant the relief sought in
13 the Objection/Motion, or if you want to explain why you believe your claim(s) are secured
14 claim(s) or otherwise want the Court to consider your views on the Objection/Motion, then
15 you must file an opposition to the Motion with the Court, and serve a copy on the USACM
16 Liquidating Trust **NO LATER THAN AUGUST 17, 2007.** The opposition must state your
17 position, set forth all relevant facts and legal authority, provide relevant documents that
18 support your claim to secured status, and be supported by affidavits or declarations that
19 conform to Local Rule 9014(c).

20 If you object to the relief requested in the Objection/Motion, you *must* file a
21 **WRITTEN** response to this pleading with the Court. You *must* also serve your
22 written response to the person who sent you this notice.

23 If you do not file a written response with the Court, or if you do not serve your
24 written response on the person who sent you this notice, then:

- 25 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 26 • The Court may *rule against you* without formally calling the matter at the
- 27 hearing.

By /s/ RC (#6593)
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